

RFA Nos.1950 & 1680 of 1997 (O&M)

2025:PHHC:164102



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

107

1.

RFA No.1950 of 1997 (O&M)  
Date of Decision: 26.11.2025

**THE STATE OF HARYANA**

.....Appellant

**Vs**

**SURENDER SINGH AND ANR.**

...Respondent(s)

2.

RFA No.1680 of 1997 (O&M)

**THE STATE OF HARYANA**

.....Appellant

**Vs**

**SMT. GIRRAJO AND OTHERS**

...Respondent(s)

**CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA***

Present: Mr. Abhinash Jain, D.A.G., Haryana  
for the appellant(s).

Mr. Adarsh Jain, Sr. Advocate with  
Ms. Kamaldeep Kaur, Advocate  
Mr. Harpreet Singh, Advocate and  
Ms. Amandeep Kaur, Advocate for respondent No.2.

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**HARKESH MANUJA, J. (Oral)**

**CM No.2830-CI of 1997 in RFA No.1680 of 1997**

There is delay of 130 days in filing the present appeal.

Upon hearing learned counsel for the parties and for the reason mentioned in the application, the same is allowed. Delay of 130 days in filing the present appeal is condoned.

**Main Appeal(s)**

[1]. Vide this common order, RFA Nos.1680 and 1950 of 1997 (O&M), are being decided as both the appeals have arisen out of common acquisition involving identical facts and question of law. For the sake of brevity, facts are being taken from RFA No.1950 of 1997.

RFA Nos.1950 & 1680 of 1997 (O&M)

2025:PHHC:164102

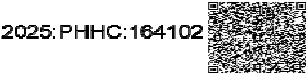


[2]. By way of present appeal(s), challenge has been laid to the Award dated 01.08.1996 passed by the learned District Judge, Faridabad (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition filed under Section 28-A(3) of the Land Acquisition Act, 1894 (for short 'the 1894 Act') at the instance of the landowners was partly allowed while granting them the benefit of enhanced market value @ Rs.16/- per square yard qua the acquired land besides award of statutory benefits/interest as provided under the 1894 Act.

[3]. Briefly stating, in the present case(s), some land owned by the respondents/landowners situated within the revenue estate of village Ajrounda, Hadbast No.118, Tehsil Ballabhgarh, came to be acquired vide Notifications dated 07.07.1971 and 04.02.1972 issued under Sections 4 & 6 of the 1894 Act respectively for the public purpose namely for the planned development in the area of village Ajrounda, followed by an Award passed by the Land Acquisition Collector (for short 'the LAC') on 28.03.1972 whereby market value was assessed @ Rs.210/- per marla for class-I category of land and Rs.160/- per marla for class-II category of land i.e. *gair mumkin rasta and gair mumkin sarak pukhta*.

[3]. As a matter of record, the respondents-landowners did not prefer any Reference under Section 18 of the 1894 Act, however on Reference Petitions preferred by the other landowners pertaining to same acquisition, the market value was assessed @ Rs.250/- per marla by the learned Reference Court vide its decision dated 22.08.1995. Later the market value was enhanced to Rs.16/- per square yard by this Court vide decision dated 17.04.1980 passed in **RFA No.1470 of 1978** titled **'DLF United Ltd. Vs. State of Haryana'**. In the meanwhile, based on Award dated 22.08.1995 passed by the learned Reference Court pertaining to the same acquisition, the respondents/landowners moved an application under Section

RFA Nos.1950 & 1680 of 1997 (O&M)



28-A(1) of the 1894 Act for re-determination of compensation in the same terms, however the same was dismissed by the LAC on 02.02.1996.

[4]. Aggrieved thereof, the respondents-landowners preferred Reference under Section 28-A(3) of the 1894 Act which was allowed by the learned Reference Court vide judgment dated 01.08.1996 granting them the benefit of similar market value @ Rs.16/- per square yard besides awarding all other statutory benefits/interest in their favour under the 1894 Act. Aggrieved thereof, both the appeals were preferred at the instance of appellant/State.

[5]. I have learned counsel for the parties and gone through the paper book as well as records of the case(s).

[6]. In the humble opinion of this Court, there is no merit in the present appeals preferred at the instance of the appellant as the respondents/landowners have merely been awarded the benefit of similar market value as awarded in favour of other identically placed landowners related to the same acquisition proceedings; especially when the Reference Petition dated 08.09.1995 preferred at the instance of respondents/landowners based on Award dated 22.08.1995 passed under Section 18 of the 1894 Act in case of other similarly placed landowners was held maintainable.

[7]. In view of aforesaid, no interference is called for in the impugned Award passed by the learned Reference Court. Both the appeals stand dismissed.

[8]. All pending application(s), if any, shall also stand disposed of.

November 26, 2025  
*Atik*

(HARKESH MANUJA)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |